

REMARKS

The drawings stand objected to, and the Office action states that they fail "to show the specificity of the folding sequences in Figs. 8-11, especially with portions 46 are [sic] folded inward in Fig. 9, prior to the formation of the sleeve." The applicant respectfully transgresses this objection and submits that Figs. 8-11 show the claimed folding sequences. Claim 16 recites "providing the front and primary side panels in a substantially coplanar arrangement". This is illustrated, for example, in Figures 5, 8 and 9, where panels 40 and 44 are in a substantially coplanar arrangement. Claim 16 further recites "aligning the side portions of the door with the primary side panels while the front and primary side panels remain substantially coplanar". This is illustrated, for example, in Figure 8, where side portions of the door are shown as moving into alignment with the primary side panels while the front and primary side panels remain substantially coplanar. Claim 16 further recites "positioning a secondary side panel adjacent to each of the primary side panels..." This is illustrated, for example, in Figure 9, where secondary side panels 46 are folded over primary side panels 44 such that they are adjacent. Claim 16 further recites "...each of the secondary side panels being connected to one of the primary side panels along edges thereof." This is illustrated, for example, in Figures 5, 8 and 9, where the secondary side panels 46 are shown as being connected to the primary side panels 44 along edges thereof.

Claim 17 describes features of a carton blank, an example of which is illustrated in Figure 5.

Claim 18 recites "providing the carton blank in a collapsed state wherein the front and primary side panels are substantially coplanar and the back and tertiary side panels are substantially coplanar, and the front and primary side panels and the back and tertiary side panels are generally adjacent." This is illustrated, for example, in Figures 9 and 10, wherein (1) the front and primary side panels 40 and 44 are substantially coplanar (as illustrated in Figure 9 and covered in Figure 10); (2) the back and tertiary side panels 50 and 54 are substantially coplanar (as illustrated in Figure 10, and covering the front and primary side panels 40 and 44); and (3) the front and primary side panels 40 and 44 and the back and tertiary side panels 50 and 54 are generally

adjacent (as illustrated in Figure 10, where the panels 50 and 54 are on top of the panels 40 and 44 (with intermediate panel 46)).

Claim 19 recites a configuration illustrated, for example, in Figure 11.

The specification stands objected to regarding the use of certain terms in claim 8. Claims 8-11 are amended to clarify the claim language.

Claims 16-21 and 22-24 stand rejected under 35 U.S.C. 112, first paragraph. The Office action states that the "original disclosure does not teach the positioning of the secondary side panel adjacent to the primary side panels while the front and side panels [are] substantially coplaner." The applicant respectfully transgresses this rejection, as the application describes that the "blank 4 is assembled into the carton 2 from the planar arrangement, illustrated in FIGURE 5, by first partially assembling the blank 4 into a collapsed state." (P. 13, ll. 7-9.) Thus, the carton begins in the state illustrated in FIGURE 5, where all portions of the carton are coplanar. The application continues to describe the assembly of the carton into the collapsed state, stating that the "second major front panels 46 are then each folded along their connections to the first major front panels 44." (P. 13, ll. 19-21.) Up until this point, the application does not describe that the first major front panels are anything other than in their initial coplaner relationship, illustrated in FIGURE 5, with the front panel 50. Thus, it is submitted that the application as originally provides support for the limitation in claim 16, "positioning a secondary side panel adjacent to each of the primary side panels while the front and primary side panels remain substantially coplaner."

Regarding claim 22, the Office action states that "the original disclosure does not teach the means for limiting interference along the length of the side panels. It seems that portion 34 extends only partially along the length of the side panels, but not along the length." The applicant respectfully transgresses this rejection, as portion 34 is an example of the "means for limiting the outward extension of the door relative to the first panel" recited in dependent claim 23, not of the "means for limiting interference..." recited in claim 22. One example of the "means for limiting interference..." recited in claim 22 is described at p. 10, ll. 10-23 of the application. The Applicant notes that reference numeral -43- in the specification should be -34-. Such correction to the specification is made herein.

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Claims 8-12 stand rejected under 35 U.S.C. 112, second paragraph. Claims 8-12 are currently amended to clarify the claim language. The Office action states that "[i]t is unclear what is meant by 'along the length of the side panels.'" However, applicant is unable to identify such language in claims 8-12.

Claims 1-3, 8, 13, 14, 22 and 23 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 2,847,153 to Guyer et al. Claims 1-3, 13, 14, 22 and 23 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 3,593,908 to Desmond, or in the alternative, over Desmond in view of Guyer. Claims 16-20 stands rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,602,735 to Aaron. The Applicant respectfully submits that neither Guyer, Desmond, the combination of Guyer and Desmond) nor Aaron discloses or suggests the invention as presently recited in claims 1-3, 8, 13, 14, 22 and 23.

With respect to claims 1-3, neither Guyer, Desmond nor Aaron disclose a door side portion being slidable in a substantially protected region between one of the side panels and a secondary side panel adjacent the one of the side panels where the secondary side panel is substantially the same length as the adjacent one of the side panels and connected to the side panel along at least a portion of the length.

With respect to claim 8, neither Guyer, Desmond nor Aaron disclose a door having a first portion being slidable between substantially adjacent first and second major panels being substantially the same length and connected to each other.

With respect to claims 13 and 14, neither Guyer, Desmond nor Aaron disclose positioning the side portion of the door to be slidable between two substantially adjacent panels of the carton during loading.

With respect to claims 22 and 23, neither Guyer, Desmond nor Aaron disclose means for limiting interference between the product and the first and second side portions of the door along the length of the side panels during loading of product into the carton.

Instead, Guyer discloses its door flaps 42 and 43 are slidable only between unconnected flaps. More specifically, the flaps 50, 24, 26 and 2 on the one side, and flaps 51, 25, 27 and 30 on the other side, are not connected to each other, but instead are each separated from each other. The door flaps 42 and 43 are not between two

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substantially adjacent panels during loading. Thus, during loading of the carton, the door flaps 42 and 43 are not protected and can be displaced by product entered the carton.

Likewise, Desmond discloses its door flaps 42 are slidable only between unconnected flaps. More specifically, the flaps 34, 48 and 46 on each side are each not connected to another. The door flaps 42 are not between two substantially adjacent panels during loading. Thus, the door flaps are not protected and can be displaced by product entered the carton.

Similarly, Aaron discloses its door flaps are slidable only between unconnected flaps. More specifically, the flaps 32 and 22 are not connected to each other. The door flaps 11 are not between two substantially adjacent panels during loading. Thus, the door flaps are not protected and can be displaced by product entering the carton.

Claims 4, 5, 9-12, 15 and 24 stand rejected as being unpatentable over Guyer in view of either U.S. Patent No. 1,616,707 to Tanner or Adams (Body Smarts). Claims 6-7 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Guyer in view of Tanner or Adams and further in view of U.S. Patent No. 1,142,020 to Carver. Claims 16-20 stand rejected as being unpatentable over Desmond in view of U.S. Patent No. 4,317,536 to Dickerson. Claim 21 stands rejected as being unpatentable over Desmond in view of Dickerson and further in view of either Tanner or Adams. Given the above discussions of Guyer and Desmond, the Applicant respectfully submits that claims 4, 5-7, 9-12, 15-21 and 24 are not unpatentable over the cited references.

For the reasons set forth above, the Office Action's rejections are respectfully traversed and the claims are believed to be allowable. Reconsideration and allowance of the application are respectfully requested.

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The Commissioner is hereby authorized to charge any additional fees which may be required in this application to Deposit Account No. 06-1135.

Respectfully submitted,

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